

05/24/2010

**RESPONSE UNDER 37 C.F.R. §1.116
-EXPEDITED PROCEDURE-
EXAMINING GROUP 2166**

Docket No.: E0295.70190US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Kilian et al.
Serial No.: 10/731,790
Confirmation No.: 4910
Filed: December 9, 2003
For: METHOD AND APPARATUS FOR DATA RETENTION IN A
STORAGE SYSTEM
Examiner: K. Pham
Art Unit: 2166

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: May 19, 2010

Signature:  

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 23, 2010, Applicant respectfully requests reconsideration. To further the prosecution of this application, each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The application as presented is believed to be in condition for allowance.

The Office Action rejects all currently pending claims (i.e., claims 65-78) under 35 U.S.C. §103(a) as purportedly being obvious over Stuart (2005/0055519) in view of Margolus (2004/0167898). Applicant respectfully traverses this rejection as, for the reasons discussed below, each of claims 65-78 patentably distinguishes over the asserted combination of Stuart and Margolus.